

Delaware Department of Justice Retains National Legal Team to Pursue Potential Claims Against Opioid Industry

Attorney General Matt Denn announced Wednesday that the Delaware Department of Justice has retained a national group of attorneys and experts to investigate and, if appropriate, file suit against opioid manufacturers, opioid distributors, and other entities that may have contributed to the opioid epidemic impacting Delaware.

“The goal is very simple,” Attorney General Denn said. “We will make sure that any entities responsible under Delaware law for creating this crisis help us solve it, and that they stop any practices still going on that are contributing to this crisis.”

The lead law firm retained by Delaware, Fields PLLC, has already filed national litigation against the opioid industry on behalf of the Cherokee Nation. The other firms working with Fields are Gilbert LLP, Connolly Gallagher LLP, and Dolt, Thompson, Shepherd & Conway. The team includes both Delaware attorneys and attorneys with subject matter expertise from around the country, including former Kentucky Attorney General Jack Conway. Former Deputy Assistant DEA Administrator Joseph Rannazzisi, who led the DEA’s Diversion Control Division and recently focused national attention on Congressional action to water down federal drug interdiction laws, will serve as a consulting member of the team

“Deaths from opioids have escalated dramatically over the past

twenty years and become the public health crisis of the 21st Century,” said David Humes, board member of Delaware advocacy group atTAcK Addiction. “Should the investigation show evidence of wrongdoing, these firms must be held accountable and penalized for those deaths, the devastation they have caused families and provide treatment to those still in the throes of addiction.”

The selection of the law firms took place pursuant to a publicly-posted Request for Proposals, which prompted fourteen responses. The retained law firms, which were selected by a committee that included DOJ attorneys and a representative from the Department of Health and Social Services, will bear the expense of the investigation and litigation and will be compensated from any eventual recovery that the state may receive.

“I appreciate the hard work that the selection committee did in finding such an experienced and talented team to pursue these claims against the opioid industry,” Attorney General Denn said. “This will give us an ideal combination: the ability to act quickly and decisively as an independent state, along with the legal expertise and investigative resources necessary to pursue a matter of this magnitude involving companies with enormous resources.”

Under the retention agreement with the law firms, the Delaware Department of Justice will retain decision-making authority over all facets of the investigation and any litigation, including decisions about filing and settling lawsuits.